

Message Text

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ACTION AF-10

INFO OCT-01 IO-13 ISO-00 PA-01 PRS-01 USIA-06 SS-15

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FM AMEMBASSY PRETORIA

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INFO AMCONSUL JOHANNESBURG

USMISSION USUN NEW YORK

C O N F I D E N T I A L PRETORIA 7070

E.O. 11652: GDS

TAGS: PINT, SHUM, SF

SUBJECT: BIKO CASE: FLAP ON FUNDING

REF: JOHANNESBURG 3340,

1. THE WASHINGTON POST ARTICLE CITED REFTEL HAS RECEIVED EXTENSIVE PRESS PLAY HERE. REMINISCENT OF A SERIES OF ARTICLES EARLIER THIS YEAR BY THE CITIZEN, WHICH REPORTEDLY HAS LINKS TO BOSS, THERE HAS BEEN SPECULATION THAT EXTENSIVE FUNDS--ONE ARTICLE SAYS DOLS. ONE MILLION THIS YEAR -- HAVE BEEN FLOWING INTO SOUTH AFRICA FROM THE LAWYERS COMMITTEE. THE EARLIER CITIZEN SERIES CLAIMED THAT THE LAWYERS' COMMITTEE WAS A CIA CONDUIT.

2. THE FACT OF KENTRIDGE'S TRIP TO THE U.S. HAD NOT BEEN WIDELY KNOWN HERE. AN ATTEMPT HAD BEEN MADE DURING THE INQUEST TO DRAW DENTRIDGE OUT ON THE POSSIBILITY OF THE TRIP. IN HIS RESPONSE, KENTRIDGE HAD NOT DENIED HE HAD GONE, BUT ACCUSED THE POLICE LAWYERS OF USING DUBIOUS MEANS OF OBTAINING THE INFORMATION. FOLLOWING THE RECENT PRESS STORIES, KENTRIDGE'S LAW FIRM ON DECEMBER 22 ISSUED A STATEMENT SAYING THAT CO-ORDINATION OF THE DEFENSE "WAS NOT DONE BY ANY AMERICAN LAWYER AND THE CONFIDENTIAL

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LAWYERS' COMMITTEE HAD VERY LITTLE TO DO WITH THE FINANCING OF THIS MATTER". ALSO, ON DECEMBER 22, THE SOUTH AFRICAN COUNCIL OF CHURCHES (SACC) ANNOUNCED THAT ALL THE COSTS OF THE INQUEST, WHICH IT SAID CAME TO R75,000, WOULD BE PAID OUT OF THE COUNCIL'S ASINGENI RELIEF FUND. THE SACC SPOKESMAN SAID THAT NO LAWYERS' COMMITTEE FUNDS WERE INVOLVED IN ANY WAY WITH THEIR ORGANIZATION.

3. COMMENT: THE VAN ROOYEN COMMISSION REPORT COMPLETED THIS YEAR (PRETORIA 4844 AND PREVIOUS) RECOMMENDED AUTHORIZATION OF THE MINISTER OF JUSTICE TO CUT OFF OUTSIDE FUNDING OF INDIVIDUALS AND ORGANIZATIONS WITH "POLITICAL PURPOSES". AT PRESENT, AN ORGANIZATION HAS TO BE DECLARED "AFFECTED" BEFORE SUCH ACTION CAN BE TAKEN. MANY BELIEVE A MAIN PURPOSE BEHIND THE VAN ROOEYN RECOMMENDATION IS TO ELIMINATE FUNDING FROM ABROAD FOR TRIALS UNDER THE TERRORISM AND SECURITY ACTS. THE RECENT STORIES FROM WASHINGTON AND THE FOLLOW-UP ARTICLES BY THE PRO-SAG PRESS WILL GIVE AMMUNITION TO THOSE SAG LEADERS WHO WISH TO INTRODUCE THE COMMISSION'S RECOMMENDATIONS AS LEGISLATION NEXT YEAR.
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